



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/937,313
Filing Date	9/24/01
First Named Inventor	BERNDL et al.
Art Unit	1615
Examiner Name	Young
Attorney Docket Number	49860

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0345
- i. ☐ RCE fee required under 37 CFR 1.17(e) 08/27/2003 NBERHE 00000119 09937313
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 750.00 OP
- iii. ☒ Other ANY DEFICIENCY IN FEES
- b. ☒ Check in the amount of \$ 750.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

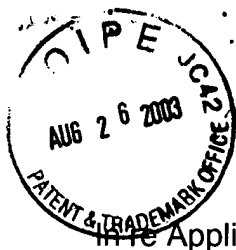
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Herbert B. Keil	Registration No. (Attorney/Agent)	18,967
Signature	<i>Herbert B. Keil</i>	Date	August 18, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	Herbert B. Keil	Date	August 18, 2003
Signature	<i>Herbert B. Keil</i>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BERNDL et al.

Serial No. 09/937,313

Filed: September 24, 2001

For: SOLUBILIZING EXCIPIENTS IN POWDER FORM FOR SOLID
PHARMACEUTICAL PRESENTATIONS

MAIL STOP RCE

Art Unit: 1615

Examiner: Young

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August 18, 2003

Date of Deposit Herbert B. Keil

Person Making Deposit *Herbert B. Keil*

Signature August 18, 2003

Date of Signature

Honorable Comm'r. of Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Applicants submit this present amendment with a Request for Continued
Examination. The present amendment is the submission required under 37 CFR 1.114.